



STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES

Retrospective Rating Program  
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DATE: March 26, 2003  
TO: Retro Advisory Committee  
FROM: Frank Romero (Chair), Retro Program Manager  
SUBJECT: Minutes of April 8, 2003, committee meeting  
*Approved 07-08-03 with amendment(s)*

The meeting was called to order by committee chair **Frank Romero** at approximately 1:07 PM.

It was *moved, seconded and carried* to approve the meeting minutes of January 14, 2003, as published. **Frank** then reviewed the agenda for today's meeting.

*Ergonomics/Caution Zone Jobs* – **Michael Silverstein** (assistant director for WISHA) gave a brief overview of the department's ongoing ergonomics program, and talked about caution zone jobs and the resources available to assist employers with this issue. Michael also asked whether retro groups tend to place more emphasis on claim management as opposed to safety/risk management. Feedback seemed to indicate that injury prevention is key to successful retro participation.

*Actuary's Corner* – **Thomas Hess** (actuary) discussed the affects of risk level and premium size on the potential refund for retro participants. (*see handout*)

*Employer Services* – **Dick Bredeson** (policy manager) talked about the employer portion of accident reports, and what to do if a claim is assigned to the wrong account. Protest of employer assignments should be in writing and reference the specific order (or the claim arrival card). Be sure to send your protest to the *policy manager*, **not** the claim manager.

*Good of the Order:*

- **Rose Oram** (financial incentive coordinator) was introduced as a new staff member in retrospective rating; there will be other new staff members in the near future.
- Committee member **Karol Kersh** asked that a future meeting topic address why dollar amounts are assigned to claims on claim history reports, when the claim(s) are rejected/denied, and/or he claimant is a preferred worker.
- Member **Merrilyn Feet** asked that permanent/transitional light duty work be included to a future meeting agenda.
- Member **Lauren Gubbe** asked about the department's position on eligibility for timeloss compensation when an injured worker voluntarily removes himself or herself from employment through their failure to comply with the company substance abuse program. She indicated that the department had been inconsistent in adjudication of timeloss benefits and that it has been confusing for employers in light of the department's premium discount applied in years past as an incentive to develop substance abuse programs.

Lauren indicated some department claim managers had assigned vocational counselors to a claim despite the employers request to do their own light duty return to work. In several cases, the vocational counselors held up the return to work by re-writing job descriptions on their own forms, etc. and duplicating the employer and/or Association Retro claims consultant's efforts. She indicated many Retro employers already had job descriptions and advanced return to work programs and did not need another party involved early in the claim. As Retro employers are encouraged to develop these programs and as L&I Retro provides this type of training to employers, the department should allow employers to do their light duty return to work without a vocational counselor's involvement unless the employer requests a vocational counselor's assistance in order to get their employee back to work. Gubbe advised that there had also been cases where the L&I claim manager would not refer the claim out to a vocational counselor when the employer had specifically requested a vocational counselor be assigned. She asked that a department representative from Claims Administration attend the next committee meeting and address these issues.

Meeting was adjourned at 3:41 PM.